(c) whether the NHRC has also prepared an outline of the proposed Indian Prisons Bill;

(d) if so, the details therof, alongwith the action taken by Government thereon;

(e) whether Government propose to issue directions to the State Governments in this regard; and

(f) if so, the details thereof?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) to (f) Yes, Sir. The National Human Rights Commission in their Annual Reports have been expressing concern regarding the conditions prevailing in jails and have recommended replacement of the existing Indian Prisons Act, 1894 by a Model Prison Bill. The Commission forwarded a copy of the Model Prison Bill to all the State Governments on 29.8.96 and to the Government of India on 21.11.96. The Commission also desired that legislative action be undertaken at an early date on the basis of the draft Model Prison Bill prepared by them.

However, the role of the Government of India has been to provide financial assistance, under the Scheme of Modernisation of Prison Administration, to the State Governments, to supplement their efforts to improve prison infrastructure, living conditions of prisoners and to provide medical facilities in jails etc. The Tenth Finance Commission has also recommended financial assistance to the State Governments for providing medical facilities in jails.

As 'Prisons' is a State subject under list-II of the Seventh Schedule to the Constitution of India, Parliament has no power to legislate on the subject unless action under article 252 of the Constitution is taken by the States. The Ministry of Home Affairs have written to the Chief Ministers of all State Governments to have the appropriate resolution passed under article 252 of the Constitution by their respective State legislatures authorising the Parliament to legislate on prisons, in public interest. So far no such resolution has been received by the Central Government from any State legislature.

Voting Rights to NRI Citizens

1540. SHRI K. RAHMAN KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are considering giving voting rights to non-resident Indian citizens;

(b) if not, whether Government will consider the proposal as a large number of citizens are deprived of their fundamental right to vite; and

(c) whether any other democratic country has given voting right to its citizens who are working outside their country?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) and (b) The Government had received some representations in the past regarding viting rights to Non-resident Indians, but the proposal was not found feasible owing to practical and administrative difficulties.

(c) The information is being collected and will be laid on the table of the Sabha.

Chargesheeted Ministers in Babri Mosque demolition case

1541. SHRI K. RAHMAN KHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) How many Central and State Government Ministers have been chargesheeted in the Babri Mosque demolition case;

(b) The sections of Cr. P. C. under which each one of them has been charged;

(c) whether the offences under which they have been charged are bailable or non-bailable; and

(d) How many of them are on bail?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) Three Central Ministers and one Chief Minister have been chargesheeted in the Babri Mosque demolition case.

(b) The Central Ministers and the Chief Minister have been chargesheeted by C.B.I. under Section 120-B read with 153-A, 153-B, 295, 295-A and 505 IPC. The Central Ministers have also been chargesheeted under Section 147 and 153-A, 153-B, 295, 295-A and 505 read with Section 149 IPC. The Court has not yet framed the charges.

(c) Offences under Section 153-A, 153-B, 295, 295-A and 505 are non-bailable.

(d) All are on bail granted b the trial Court.

Tada Detenues

1542. SHRI RAJUBHAI A. PARMAR:
SHRIMATI VEENA VERMA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of detenues under the Terrorists and Disruptive Activities (Prevention) Act in each State and Union Territory on the date when TADA was allowed to lapse and on July 1, 1997 and January 1, 1998 and at present;

(b) the reasons for their continued detention; and

(c) the steps taken to review all such cases this year?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) A statement showing the number of persons under detention in TADA pases in different States and Union Territories is attached (See below)

(b) and (c) The pending TADA cases are being regularly reviewed by the State Review Committees in the States and by the Central Review Committee as per the directions of the Hon'ble Supreme Court, However, most of these cases are presently pending in the Designated TADA courts and the prerogative of granting bail to the detenues Vests with the Designated TADA Courts. The annexed statement would reveal that there were only 1331 courts. The annexed Statement would reveal that there were only 1331 number of detenues all over the country as on 1st Januarv 1998.

Statement

Sl. No.	Name of State/UT	No. of persons under detection		
		May '95	1st July '97	1st Jan. '98
1	2	3	4	5
1.	Andhra Pradesh	273	19	19
2.	Arunachal Pradesh	3	1	1
3.	Assam	543	58	58
4.	Bihar	67	21	17
5.	Goa	—	Nil	
6.	Gujarat	267	126	126
7.	Haryana	125	13	13
8.	Himachal Pradesh	2	—	—
9.	J & K	1304	449	449
10.	Karnataka	152	56	56
11.	Kerala	—	—	—
12.	Maharashtra	1020	252	252
13.	Manipur	279	6	6
14.	Madhya Pradesh	46	12	12